



# El Monte Union High School District

3537 Johnson Avenue • El Monte, California 91731  
(626) 444-9005

## Board of Trustees

Salvador Ramirez  
Carlos G. Salcedo  
Esthela Torres de Siegrist  
John Tran  
Theresa A. Velasco

## District Administrators

Nick J. Salerno  
Superintendent

Anthony M. Ortega  
Asst. Superintendent-  
Business

Joel Kyne  
Asst. Superintendent-  
Educational Services

Dan Morris  
Asst. Superintendent-  
Personnel

May 9, 2011

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, CA 20554

RE: CC Docket No. 02-6  
Request for Review

To Whom It May Concern:

El Monte Union High School District (EMUHSD), Billed Entity Number 143586, requests review of the following Universal Service Administrative Company (USAC) decisions regarding Form 471 Application Number 478151, Funding Request Number 1320990.

- December 3, 2010, Notification of Improperly Disbursed Funds Recovery Letter

EMUHSD is appealing the decision of USAC seeking recovery of funds in the amount of \$3,324.82 for the following reason:

"During the course of the audit it was determined that the following equipment purchased with the Universal Service funds for FY 2005, FRN 1320990, could not be located: 4 model RPS-FGS power supplies."

In fact these power supplies were located and shown to the KPMG auditors during the site visits.

KPMG asked to see the following 4 out of 1,500 items during the site visits:

| FRN     | MAKE    | MODEL   | SCHOOL | LOCATION          | SERIAL | ASSET | UNDISCOUNTED COST | DISCOUNTED COST |
|---------|---------|---------|--------|-------------------|--------|-------|-------------------|-----------------|
| 1320990 | FOUNDRY | RPS-FGS | DO-    | DO-IT.FG2_16.1.31 | NA     | NA    | \$ 897.00         | \$ 771.42       |
| 1320990 | FOUNDRY | RPS-FGS | DO-    | DO-IT.FG4_16.1.33 | NA     | NA    | \$ 897.00         | \$ 771.42       |
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List A B C D E



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Received & Inspected

MAY 10 2011

FCC Mail Room



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These four items identified above are power supplies, which are components of the two FY2005, FRN 1320990 purchased Ethernet switches identified below. Each switch contains two power supplies by manufacturer design. Each is configured to provide separate functionality to the switch.

| FRN     | MAKE    | MODEL  | SCHOOL | LOCATION          | SERIAL     | ASSET | UNDISCOUNTED<br>COST | DISCOUNTED<br>COST |
|---------|---------|--------|--------|-------------------|------------|-------|----------------------|--------------------|
| 1320990 | FOUNDRY | FGS648 | DO-    | DO-IT.FG4_16.1.32 | CY28076246 | 37603 | \$ 3,057.45          | \$ 2,629.41        |
| 1320990 | FOUNDRY | FGS648 | DO-    | DO-IT.FG4_16.1.33 | CY15073635 | 35789 | \$ 3,057.45          | \$ 2,629.41        |

The power supplies in question are internal components of the FGS648 Ethernet switches and were installed into these switches and into the equipment rack as part of the installation and configuration provided by the vendor.

KPMG's audit finding states, "We are unable to verify that the Beneficiary used the equipment and services requested solely for educational purposes, did not sell or resell such equipment for money or any other thing of value, and did not transfer such equipment." Both power supplies are required for each switch to perform as intended. Removing one power supply would disable the Power over Ethernet (PoE) functionality. Removing both power supplies would totally disable the switch.

At no time did the district remove any of the four vendor installed power supplies in question as this would have disabled necessary functionality of the switch(es). The power supplies were exactly where they were documented to belong at the time of the site visit and still remain in the correct location.

The district inventory management spreadsheet, used by KPMG in its attempt to verify the location of the equipment, clearly documents the location of these power supplies.

The inventory spreadsheet showed no modification to the original installation locations of these power supplies because there was no change. If a power supply had been removed, replaced or relocated, such a notation would have been entered into the spreadsheet. *The district does not document nonexistent changes to its inventory.*

The attached invoice from the vendor, Foundry Networks, clearly shows that 500 Ethernet switches were purchased through FRN 1320990 along with 1,000 power supplies – two power supplies per switch.

KPMG's audit report states, "Due to its small physical size and nature, the equipment purchased through disbursements from the USF does not always contain serial numbers and the Beneficiary does not have an inventory control system in place to affix its own property numbers to the equipment." Given the fact, as stated by KPMG, that the equipment is too small for the manufacturer to affix a serial number it stands to reason that the district would be unable to affix a property number to the same item.

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In summary,

1. The products in question were located and shown to the KPMG auditors during the site visit.
2. The district inventory control system was complete and accurate.
3. KPMG's recommendation to affix property numbers to internal components is impossible to accomplish due the physical size and nature of the equipment as concluded by KPMG.

For these reasons, El Monte Union High School District respectfully requests the FCC reconsider the Universal Service Administrative Company decision to recover funds based on the facts provided in this appeal.

If any other information is required, please contact me or Cathi Eredia.

Cathi Eredia  
Assistant Director of Technology  
El Monte Union High School District  
626-523-3579  
[ceredia@emuhsd.org](mailto:ceredia@emuhsd.org)

Sincerely,



Garrett McKay  
Director of Technology  
El Monte Union High School District  
626-277-6740  
[gmckay@emuhsd.org](mailto:gmckay@emuhsd.org)

Enclosed: Vendor Invoice 189698

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Foundry Networks, Inc.



ATTN: ACCOUNTS RECEIVABLE  
4980 GREAT AMERICA PARKWAY  
SANTA CLARA, CA 95054

INVOICE NUMBER: 189698  
INVOICE DATE: 5/31/2007  
DUE DATE: 6/30/2007  
PO NUMBER: 17069  
CONTACT NAME: Mike Masic

# INVOICE

**BILL TO:**

El Monte Union High School /  
District  
3537 N. Johnson Ave  
El Monte, CA 91731

**SHIP TO:**

EMUHSD District /  
Warehouse  
3617 N. Cypress Ave  
El Monte, CA 91731

| Item # | Qty | Part #     | Description   | Unit Price   | Extended Price | Price        |
|--------|-----|------------|---|--------------|----------------|--------------|
| 1      | 200 | SX-FI424C  | FASTIRON SX 24 PORT 10/100/1000 POE SWITCH              | \$ 1,852.39  | \$ 370,478.00  | \$ 51,866.92 |
| 2      | 200 | FGS648P    | FASTIRON FGS 48 PORT 10/100/1000 POE SWITCH             | \$ 3,057.45  | \$ 611,490.00  | \$ 85,608.60 |
| 3      | 400 | RPS-FGS    | POWER SUPPLY  | \$ 897.00    | \$ 358,800.00  | \$ 50,232.00 |
| 4      | 100 | FGS624PXGP | FASTIRON FGS 24 PORT 10/100/1000 POE SWITCH WITH 10 GIG | \$ 2,747.50  | \$ 274,750.00  | \$ 38,465.00 |
| 5      | 100 | RPS-X424   | POWER SUPPLY  | \$ 547.25    | \$ 54,725.00   | \$ 7,661.50  |
| 6      | 500 | E1MG-SX    | 1000SX MINI-GBIC  | \$ 267.00    | \$ 133,500.00  | \$ 18,690.00 |
| 7      | 1   | INSTALL    | INSTALLATION AND CONFIGURATION                          | \$ 39,636.36 | \$ 39,636.36   | \$ 5,549.09  |

I HAVE RECEIVED THIS SERVICE  
AND/OR MERCHANDISE ON BEHALF  
OF EL MONTE UNION HIGH SCHOOL DISTRICT

SIGNATURE

DATE

SUBTOTAL \$ 1,843,379.36  
SALES TAX \$ 139,790.08  
FREIGHT \$ 8,942.32  
TOTAL \$ 1,992,111.76

TAX PAYER ID# 77-0431154

Remit To:  
Foundry Networks, Inc.  
4980 Great America Parkway  
Santa Clara, CA 95054  
Phone: 408-207-1700

|           |              |
|-----------|--------------|
| SUBTOTAL  | \$258,073.11 |
| SALES TAX | \$19,570.61  |
| FREIGHT   | \$1,251.92   |
| TOTAL     | \$278,895.65 |

6/8/07  
*Caitlin Indira*

Foundry Networks, Inc.



ATTN: ACCOUNTS RECEIVABLE  
4980 GREAT AMERICA PARKWAY  
SANTA CLARA, CA 95054

INVOICE NUMBER: 189698  
INVOICE DATE: 5/31/2007  
DUE DATE: 6/30/2007  
PO NUMBER: 17069  
CONTACT NAME: Mike Masic

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El Monte, CA 91731

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DATE

SUBTOTAL \$ 1,843,379.36  
SALES TAX \$ 139,790.08  
FREIGHT \$ 8,942.32  
TOTAL \$ 1,992,111.76

TAX PAYER ID# 77-0431154

Remit To:  
Foundry Networks, Inc.  
4980 Great America Parkway  
Santa Clara, CA 95054  
Phone: 408-207-1700

|          |              |
|----------|--------------|
| SUBTOTAL | \$258,073.11 |
| TAX      | \$19,570.61  |
| FREIGHT  | \$1,251.92   |
| TOTAL    | \$278,895.65 |

6/8/07

Callie Indira

Foundry Networks, Inc.



ATTN: ACCOUNTS RECEIVABLE  
4980 GREAT AMERICA PARKWAY  
SANTA CLARA, CA 95054

INVOICE NUMBER: 189698  
INVOICE DATE: 5/31/2007  
DUE DATE: 6/30/2007  
PO NUMBER: 17069  
CONTACT NAME: Mike Masic

# INVOICE

BILL TO:

El Monte Union High School  
District  
3537 N. Johnson Ave  
El Monte, CA 91731

SHIP TO:

EMUHSD District  
Warehouse  
3617 N. Cypress Ave  
El Monte, CA 91731

| Item # | Qty | Part #     | Description   | Unit Price   | Extended Price | Net Price    |
|--------|-----|------------|---|--------------|----------------|--------------|
| 1      | 200 | SX-FI424C  | FASTIRON SX 24 PORT 10/100/1000 POE SWITCH              | \$ 1,852.39  | \$ 370,478.00  | \$ 51,866.92 |
| 2      | 200 | FGS648P    | FASTIRON FGS 48 PORT 10/100/1000 POE SWITCH             | \$ 3,057.45  | \$ 611,490.00  | \$ 85,608.60 |
| 3      | 400 | RPS-FGS    | POWER SUPPLY  | \$ 897.00    | \$ 358,800.00  | \$ 50,232.00 |
| 4      | 100 | FGS624PXGP | FASTIRON FGS 24 PORT 10/100/1000 POE SWITCH WITH 10 GIG | \$ 2,747.50  | \$ 274,750.00  | \$ 38,465.00 |
| 5      | 100 | RPS-X424   | POWER SUPPLY  | \$ 547.25    | \$ 54,725.00   | \$ 7,661.50  |
| 6      | 500 | E1MG-SX    | 1000SX MINI-GBIC  | \$ 267.00    | \$ 133,500.00  | \$ 18,690.00 |
| 7      | 1   | INSTALL    | INSTALLATION AND CONFIGURATION                          | \$ 39,636.36 | \$ 39,636.36   | \$ 5,549.09  |

I HAVE RECEIVED THIS SERVICE  
AND/OR MERCHANDISE ON BEHALF  
OF EL MONTE UNION HIGH SCHOOL DISTRICT

*[Signature]* 6/13/07  
SIGNATURE DATE

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Callie Indira